

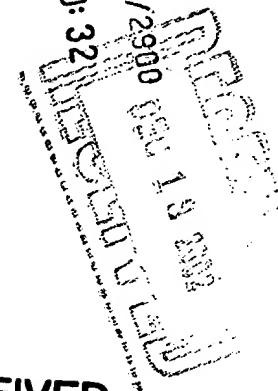
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12/16/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashley J. Birkett) PATENT
Serial No.: 09/930,325)
Filed: August 15, 2001) Attorney Docket
For: MALARIA IMMUNOGEN AND VACCINE) ICC-103.1
Examiner:) (4564-83502)
) Group Art Unit:
) 1614

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INFORMATION DISCLOSURE STATEMENT

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Sir:

Pursuant to 37 C.F.R. §1.97, Documents A1-A67 are listed on the attached Form PTO-1449. Documents A1-A4, A14-A61 were disclosed and discussed in the text of the subject patent application; whereas Documents A6-A8, A10-A11, A62-A63, and A65-A67 were subsequently located and are therefore provided herewith. Document A5, an issued U.S. patent, and Document A9, its published PCT counterpart, describe an invention of the present inventor that relates to a hepatitis B core-based vaccine. Document A12 is a published PCT application of the present inventor that discloses stabilized hepatitis B core-based vaccines. Document A13 is the published PCT version of the subject application.

Documents A42, A56 and A65-A66 were cited in the International Search Report (copy enclosed) for Document A13 (PCT Application WO 02/13765), corresponding to the present application. Document A64 is a poster presented by the inventor and co-workers in October of 1999 of results using vaccine candidates. None of these cited documents disclose, enable or teach claimed subject matter of the present invention.

No inferences should be drawn that the attached list represents a comprehensive investigation, or that any material disclosed is equivalent to the subject invention.

The cited documents disclose numerous specific features. There has been no attempt to list each and every feature disclosed by each document. The Examiner is requested to review the documents and determine the extent of the materiality of the document disclosures with respect to the present invention.

The discussion of any art and the citation of any document herein is not to be construed as an admission that the art or document disclosure is necessarily within the invention field of endeavor, that the art or document disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that the art or document disclosure is otherwise necessarily prior art as

defined by the patent law with respect to the instant invention and application.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosures of the art and documents recited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

The recitation herein of the art and documents is not to be construed as an assertion that more pertinent art could not possibly be in existence.

If any fees or petition are believed to be necessary, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

Respectfully submitted,

By

Irene M. Reininger, Reg. No. 48,439

September 10, 2002

Enclosures:

Form PTO-1449, PCT Search Report
Documents A1-A11 in Binder 1 of 3
Documents A12-A25 in Binder 2 of 3
Documents A26-A67 in Binder 3 of 3

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312/655-1500

(Rev. 5/92) Comparable to Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. ICC-103.1 (4564-83502)	Serial No. 09/936,325	RECEIVED TECH CENTER 1600/2900 02 SEP 12 AM 10:33
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Applicants Ashley J. Birkett		
				Filing Date August 15, 2001	Group	

U.S. PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A1	4,818,527	04/1989	Thornton, et al.	424	88	
	A2	4,882,145	11/1989	Thornton, et al.	424	88	
	A3	5,143,726	09/1992	Thornton, et al.	424	88	
	A4	5,928,902	07/1999	DeWilde, et al.	435	69.3	
	A5	6,231,864	5/15/01	Birkett	424	189.1	
	A6	5,614,194	3/25/97	Colman, et al.	424	191.1	
	A7	4,886,782	12/12/89	Good, et al.	514	12	

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	A8	WO 01/983333	12/27/01	PCT				
	A9	WO 99/40934	8/19/99	PCT				
	A10	WO 00/32625	6/8/2000	PCT				
	A11	WO 01/27821	4/19/2001	PCT				
	A12	WO 02/14478	2/21/2002	PCT				
	A13	WO 02/13765	2/21/2002	PCT				

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

A14	Marlar, T., et al., <i>Trans. R. Soc. Trop. Med. Hyg.</i> , (1995) 89(3): p. 307-308
A15	Garg et al., <i>Trans. R. Soc Trop. Med. Hyg.</i> , (1995) 89(6): p. 656-657
A16	Baird et al., <i>Am. J. Trop. Med. Hyg.</i> , (1991) 44(5): p. 547-552
A17	Baird et al., <i>Trans R Soc Trop Med Hyg.</i> , (1996) 90(4): p. 409-411
A18	Baird et al., <i>J. Infect. Dis.</i> , (1995) 171(6): p. 1678-1682
A19	Murphy et al., <i>Lancet</i> , (1993) 341(8837): p. 96-100
A20	Schwartz et al., [letter]. <i>N. Engl. J. Med.</i> , (1991) 324(13): p. 927
A21	Rieckmann et al., <i>Lancet</i> , (1989) 2(8673): p. 1183-1184
A22	Charoenlarp et al., <i>Southeast Asian J. Trop. Med. Public Health</i> , (1973) 4(1): p. 135-137
A23	Krotoski, [letter]. <i>N. Engl. J. Med.</i> , (1980) 303(10): p. 587
A24	Schuurkamp et al., <i>Trans. R. Soc. Trop. Med. Hyg.</i> , (1992) 86(2): p. 121-122
A25	Good, et al., <i>Annu. Rev. Immunol.</i> , (1998) 16: p. 57-87

Examiner	Date Considered
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

(Rev. 5/92) Comparable to Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. ICC-103.1 (4564-83502)	Serial No. 09/930,325
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)		Applicants Ashley J. Birkett	
		Filing Date August 25, 2001	Group

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

A26	Clyde et al., <i>Am. J. Med. Sci.</i> , (1973) 266(6): p. 398-403 •
A27	Rieckmann et al., <i>Trans. R. Soc. Trop. Med. Hyg.</i> , (1974) 68(3): p. 258-259 •
A28	Zavala et al., <i>Science</i> , (1985) 228(4706): p. 1436-40 •
A29	Nussenzweig et al., <i>Ciba Found. Symp.</i> , (1986) 119: p. 150-163 •
A30	Etlinger et al., <i>Immunology</i> , (1988) 64(3): p. 551-558 •
A31	Etlinger et al., <i>J. Immunol.</i> , (1988) 140(2): p. 626-633 •
A32	Herrington et al., <i>Nature</i> , (1987) 328(6127): p. 257-259 •
A33	Ballou et al., <i>Lancet</i> , (1987) 1(8545): p. 1277-1281 •
A34	Good et al., <i>Science</i> , (1987) 235(4792): p. 1059-62 •
A35	Calvo-Calle et al., <i>J. Immunol.</i> , (1993) 150(4): p. 1403-1412 •
A36	Moreno et al., <i>Int. Immunol.</i> , (1991) 3(10): p. 997-1003 •
A37	Stoute et al., <i>N. Engl. J. Med.</i> , (1997) 336(2): p. 86-91 •
A38	Stoute et al. <i>J. Infect Dis.</i> (1998 Oct) 178(4):1139-44 .
A39	Milich et al., <i>Science</i> , (1986) 234(4782): p. 1398-1401 •
A40	Herrington et al., <i>Am J Trop Med Hyg.</i> (1991) 45(6): p. 695-701 •
A40	Schodel et al., <i>Behring Inst. Mitt.</i> (1997) (98): p. 114-119 ,
A42	Schodel et al., <i>J. Exp. Med.</i> (1994) 180(3): p. 1037-46 •
A43	Pumpens et al., <i>Intervirology</i> (1995) 38:63-74 •
A44	Metzger et al., <i>J. Gen. Virol.</i> (1998) 79:587-590 •
A45	Hoffman et al., <i>Nat. Med.</i> (1997) 3(1):80-83 •
A46	Conway et al., <i>Nature</i> , (1997) 386:91-94 •
A47	Bottcher et al., <i>Nature</i> , (1997) 386:88-91 •
A48	Zheng et al., <i>J. Biol. Chem.</i> , (1992) 267(13):9422-9429
A49	Birnbaum et al., <i>J. Virol.</i> (1990) 64, 3319-3330 •
A50	Clarke et al., F. Brown et al. eds. <i>Vaccines</i> (1991) 91, Cold Spring Harbor Laboratory, Cold Spring Harbor, New York, pp.313-318 •

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)				
A51	Seifer et al., <i>Intervirology</i> (1995) 38:47-62			
A52	Gallina et al. <i>J. Virol.</i> (1989) 63:4645-4652 *			
A53	Inada et al. <i>Virus Res.</i> , (1989) 14:27-48 *			
A54	Maassen et al. <i>Arch. Virol.</i> (1994) 135:131-142 *			
A55	Schodel et al. <i>Infect. Immunol.</i> (1994) 62:1669-1676			
A56	Ulrich et al. <i>Adv. Virus Res.</i> Vol. 50 (1998) Academic Press pages 141-182 *			
A57	Qari et al. <i>Lancet</i> (1993) 341(8848):780-783 *			
A58	Moreno et al. <i>J. Immunol.</i> (1993) 151(1): 489-499 *			
A59	Hoffman et al. <i>Malaria Vaccine Development</i> , Chapter 3: Attacking the Infected Hepatocyte, 1996 American Society for Microbiology, Washington, D.C. *			
A60	Calvo-Calle et al. <i>J. Immunol.</i> (1997) 159(3): p. 1362-1373 *			
A61	Coatney et al. (1962) 9:285-292 *			
A62	Krüger et al. <i>Biol. Chem.</i> (1999) 380:275-276 *			
A63	Nardin et al. <i>J. Exp. Med.</i> (1982) 156:20-30 *			
A64	Poster presented by J. Haron at the Center for Advanced Technology and Medicine (CABM) Symposium, Rutgers University Medical Center on October 13-14, 1999			
A65	Isagulants et al. <i>Immunol. Ltr.</i> (1996) 42:173-178 *			
A66	Schodel et al. <i>J. Biotechnol.</i> (1996) 44:91-96 *			
A67	Wynne et al., <i>Mol. Cell</i> (June 1999) 3:771-780 *			
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